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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,011	04/20/2001	Christopher Barron	I33031-0003	3074
24267	7590	11/18/2005	EXAMINER	
CESARI AND MCKENNA, LLP 88 BLACK FALCON AVENUE BOSTON, MA 02210			LUK, LAWRENCE W	
			ART UNIT	PAPER NUMBER
			2187	
DATE MAILED: 11/18/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/840,011	BARRON, CHRISTOPHER	
	<b>Examiner</b>	Art Unit	
	Lawrence W. Luk	2187	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 10/25/2005.
2.  The allowed claim(s) is/are 20-28, 33 and 34.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### Reasons for Allowance

1. Claims 20-28, 33 and 34 are allowed.

#### Claim 20

The primary reason for allowance of the claim 20 is the inclusion of saturating a transistor in response to an output of the comparator when the comparator measures a voltage at the second input greater than a voltage at the first input; and locating battery pack terminals at respective opposing ends of the series of the plurality of the cells, and connecting respective opposing leads of a charging circuit to the terminals at predetermined times so as to charge the plurality of cells.

Claims 21, 22 and 24-28 depend from claim 20 and therefore are allowable for at least the same reasons noted above with respect to claim 20.

#### Claim 23

The primary reason for allowance of the claim 23 is the inclusion of saturating a transistor in response to an output of the comparator when the comparator measures a voltage at the second input greater than a voltage at the first input; monitoring each of the cells based upon an input connected across each of the cells for measuring a charge of the each of the cells respectively, and providing a bridge around the each of the cells, the bridge including a respective bypass resistor and a respective switch and closing the respective switch when the charge of the each of the cells equals a maximum value so as to shunt charge current around the each of the cells through the respective bypass resistor.

**Claim 33**

The primary reason for allowance of the claim 33 is the inclusion of an implanted rechargeable battery pack including a battery pack having a plurality of series-arranged cells, having a bridge connected around a first cell, including a bypass resistor in series with a switch, and a cell monitor/regulator having an input connected across the first cell for measuring a charge of the first cell, wherein the cell monitor/regulator closes the switch when a charge of the first cell equals a maximum value.

Claim 34 depends from claim 33 and therefore is allowable for at least the same reasons noted above with respect to claim 33.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

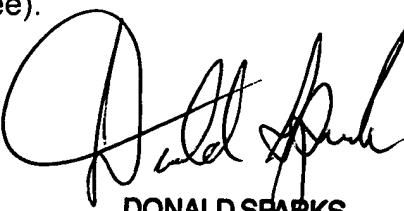
***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence W Luk whose telephone number is 571-272-2080. The examiner can normally be reached on 7 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LWL  
November 14, 2005



DONALD SPARKS  
SUPERVISORY PATENT EXAMINER